

NOTICE OF PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE PROPOSED ACQUISITION OF THE RESTRICTIONS, RIGHTS, OR PROPERTY (AS DEFINED HEREIN) LOCATED IN THE TOWN OF GUILDERLAND, ALBANY COUNTY, NEW YORK, FOR A PROPOSED PROJECT TO BE UNDERTAKEN BY THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY.

NOTICE IS HEREBY GIVEN THAT, a public hearing (the “Public Hearing”) pursuant to Section 201 of the Eminent Domain Procedure Law of the State of New York (the “EDPL”), will be held by the Town of Guilderland Industrial Development Agency (the “Agency”) on the 31st day of May, 2023 at 7:30 o’clock p.m., local time, or immediately following the public hearing to be held by the Agency pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”), in the Town Board Room of the Guilderland Town Hall located at 5209 Western Turnpike in the Town of Guilderland, Albany County, New York (the “Town”) for the purpose of outlining and/or describing a proposed project (the “Project”) to be undertaken by the Agency for the benefit of Crossgates Releaseco, LLC (the “Company”), a limited liability company duly organized and existing under the laws of the State of New York, and its designees, said Project consisting of the following:

(A) the acquisition of (1) fee simple title absolute to lands underlying five (5) former Town Roads, and any buildings and other improvements, if any, situated thereon, that the Town has previously discontinued, which are associated with the Project site (the “Town Roads”), (2) purported historic deed restrictions that may apply to properties along Crossgates Mall Road and Western Avenue, in the Town of Guilderland, Albany County, New York, which are located within and adjacent to the Project site (the “Purported Deed Restrictions”); and (3) any rights or interests to enforce the Purported Deed Restrictions that certain properties within and adjacent to Project site may have (the “Purported Rights to Enforce”) (the Town Roads, the Purported Deed Restrictions and the Purported Rights to Enforce hereinafter collectively referred to as the “Restrictions, Rights, or Property”); (B) (1) the acquisition of a lease/leaseback interest in the Company’s various parcels of land containing approximately +/- 16.0 acres located along Crossgates Mall Road and Western Avenue, in the Town of Guilderland, Albany County, New York (such parcels being referred to hereinafter as the “Land”), (2) the construction of a commercial and retail facility to contain in the aggregate approximately +/- 160,000 square feet of space (the “Facility”), and (3) the acquisition and installation therein and thereon of certain machinery, equipment, improvements and fixtures (collectively, the “Equipment”) (the Restrictions, Rights, or Property, the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned by the Company, or its designee, and operated as a Costco facility and any directly or indirectly related uses; (C) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The location of the Restrictions, Rights, or Property for proposed acquisition by the Agency are set forth below and more particularly described within the map appended hereto as Schedule “A”:

A. Discontinued Town Roads

ID	Address	Tax Map Number
1.	Lawton Terrace, Town of Guilderland	N/A
2.	Tiernan Court, Town of Guilderland	N/A

3.	Rielton Court, Town of Guilderland	N/A
4.	Gabriel Terrace, Town of Guilderland	N/A
5.	Crossgates Mall Road Northbound Slip Ramp and Adjoining Land, Town of Guilderland	N/A

B. Deed Restricted and Related Properties

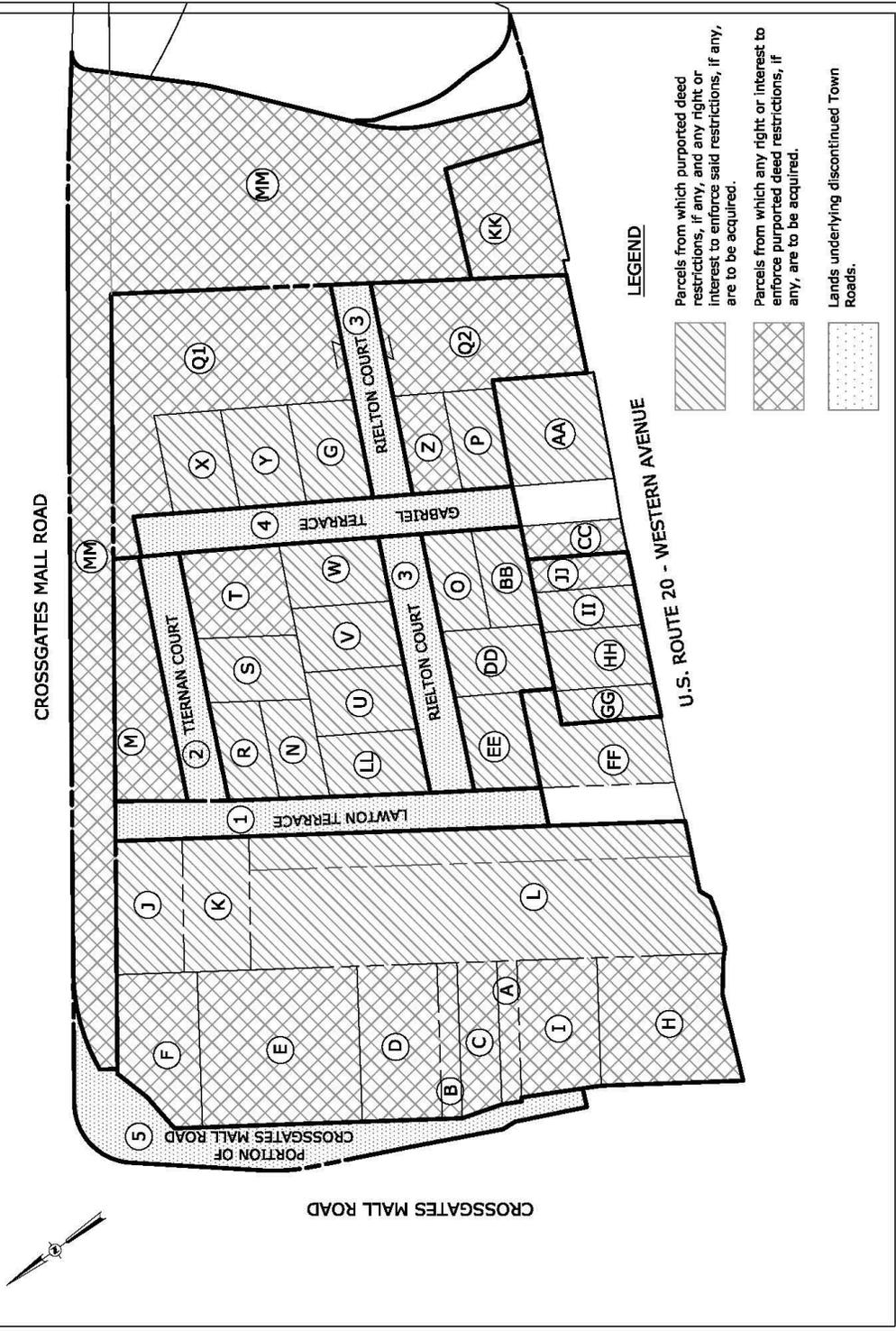
ID	Record Billing Owner	Property Address	Parcel ID
A	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-28
B	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-29
C	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-30
D	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-31
E	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-32
F	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-33
G	Crossgates ReleaseCo, LLC	5 Gabriel Terrace	52.14-01-17
H	Guilderland Devco, LLC	1699 Western Avenue Rear	52.10-01-26
I	Guilderland Devco, LLC	Crossgates Mall Road	52.10-01-27
J	Guilderland Devco, LLC	16 Lawton Terrace	52.10-01.34
K	Guilderland Devco, LLC	14 Lawton Terrace	52.10-01-35
L	Guilderland Devco, LLC	2-8 Lawton Terrace, 1689 Western Ave	52.14-01-1, 52.14-01-2
M	Guilderland Devco, LLC	9 Lawton Terrace	52.14-01-32
N	Guilderland Devco, LLC	5 Lawton Terrace	52.14-01-30
O	Guilderland Devco, LLC	4 Gabriel Terrace	52.14-01-21
P	Crossgates ReleaseCo, LLC	1 Gabriel Terrace	52.14-01-19
Q	Crossgates ReleaseCo, LLC	1669 Western Avenue	52.14-01-10
R	Guilderland Devco, LLC	7 Lawton Terrace	52.14-01-31
S	Guilderland Devco, LLC	1 Tiernan Court	52.14-01-29
T	Guilderland Devco, LLC	8 Gabriel Terrace	52.14-01-28
U	Guilderland Devco, LLC	4 Rielton Court	52.14-01-25
V	Guilderland Devco, LLC	6 Rielton Court	52.14-01-26
W	Grace Wu, Brian Truong & Tsz Keung Eng	8 Rielton Court	52.14-01-27
X	Crossgates ReleaseCo, LLC	9 Gabriel Terrace	52.14-01-15
Y	Crossgates ReleaseCo, LLC	7 Gabriel Terrace	52.14-01-16
Z	Crossgates ReleaseCo, LLC	3 Gabriel Terrace	52.14-01-18
AA	1671 Western Ave LLC	1671 Western Avenue	52.14-01-09
BB	Guilderland Devco, LLC	2 Gabriel Terrace	52.14-01-20
CC	Drue Sanders	1675 Western Avenue	52.14-01-8
DD	Guilderland Devco, LLC	5 Rielton Court	52.14-01-22
EE	Guilderland Devco, LLC	3 Lawton Terrace	52.14-01-23
FF	Charles O. Desch & Viola May Desch	1685 Western Avenue	52.14-01-3
GG	Guilderland Devco, LLC	1683 Western Avenue	52.14-01-4
HH	Guilderland Devco, LLC	1681 Western Avenue	52.14-01-5

SCHEDULE "A"

MAP

- SEE ATTACHED -

COSTCO - PARCEL MAP



COSTCO - PARCEL MAP - PROPERTIES

Letter Designation	Record Billing Owner	Property Address	Parcel ID
A	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-28
B	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-29
C	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-30
D	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-31
E	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-32
F	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-33
G	Crossgates ReleaseCo, LLC	5 Gabriel Terrace	52.14-01-17
H	Gulderland Devco, LLC	1699 Western Avenue Rear	52.10-01-26
I	Gulderland Devco, LLC	Crossgates Mall Road	52.10-01-27
J	Gulderland Devco, LLC	16 Lawton Terrace	52.10-01-34
K	Gulderland Devco, LLC	14 Lawton Terrace	52.10-01-35
L	Gulderland Devco, LLC	2-8 Lawton Terrace, 1689 Western Ave	52.14-01-1, 52.14-01-2
M	Gulderland Devco, LLC	9 Lawton Terrace	52.14-01-32
N	Gulderland Devco, LLC	5 Lawton Terrace	52.14-01-30
O	Gulderland Devco, LLC	4 Gabriel Terrace	52.14-01-21
P	Crossgates ReleaseCo, LLC	1 Gabriel Terrace	52.14-01-19
Q1 and Q2	Crossgates ReleaseCo, LLC	1669 Western Avenue	52.14-01-10
R	Gulderland Devco, LLC	7 Lawton Terrace	52.14-01-31
S	Gulderland Devco, LLC	1 Tiernan Court	52.14-01-29
T	Gulderland Devco, LLC	8 Gabriel Terrace	52.14-01-28
U	Gulderland Devco, LLC	4 Riellon Court	52.14-01-25
V	Gulderland Devco, LLC	6 Riellon Court	52.14-01-26
W	Grace Wu, Brian Truong & Tsz Keung Eng	8 Riellon Court	52.14-01-27
X	Crossgates ReleaseCo, LLC	9 Gabriel Terrace	52.14-01-15
Y	Crossgates ReleaseCo, LLC	7 Gabriel Terrace	52.14-01-16
Z	Crossgates ReleaseCo, LLC	3 Gabriel Terrace	52.14-01-18
AA	1671 Western Ave LLC	1671 Western Avenue	52.14-01-09
BB	Gulderland Devco, LLC	2 Gabriel Terrace	52.14-01-20
CC	Drue Sanders	1675 Western Avenue	52.14-01-8
DD	Gulderland Devco, LLC	5 Riellon Court	52.14-01-22
EE	Gulderland Devco, LLC	3 Lawton Terrace	52.14-01-23
FF	Charles O. Desch & Viola May Desch	1685 Western Avenue	52.14-01-3
GG	Gulderland Devco, LLC	1683 Western Avenue	52.14-01-4
HH	Gulderland Devco, LLC	1681 Western Avenue	52.14-01-5
II	Gulderland Devco, LLC	1679 Western Avenue	52.14-01-6
JJ	Gulderland Devco, LLC	1677 Western Avenue	52.14-01-7
KK	1667 Western Avenue, LLC	1667 Western Avenue	52.14-01-11
LL	Gulderland Devco, LLC	2 Riellon Court	52.14-01-24
MM	Gulderland Devco, LLC	4 Crossgates Mall Road	52.01-01-6
1	Lawton Terrace, Town of Gulderland	N/A	N/A
2	Tiernan Court, Town of Gulderland	N/A	N/A
3	Riellon Court, Town of Gulderland	N/A	N/A
4	Gabriel Terrace, Town of Gulderland	N/A	N/A
5	Crossgates Mall Road Northbound Slip Ramp and Adjoining Land, Town of Gulderland	N/A	N/A